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5 IN THE UNITED STATES DISTRICT COURT
6
7 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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9 ADRIAN JOHN, SR., *et al.*,

No. C 16-02368 WHA

10 Petitioners,

11 v.

12 AGUSTIN GARCIA, *et al.*,

**ORDER CONTINUING STAY
OF HEARING PENDING
MEDIATION AND DENYING
REQUEST FOR DISCOVERY**

13 Respondents.
14 _____/

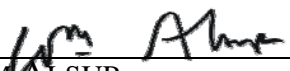
15 The Court is in receipt of the parties' joint status report and request to further stay the
16 hearing on respondents' motion to dismiss pending mediation on June 30 (Dkt. No. 64 at 2).
17 The request is **GRANTED**. The parties shall please submit another joint status report updating
18 the Court on the progress of mediation by **JULY 3 AT NOON**. Further continuances past July 3
19 are unlikely to be granted.

20 Additionally, the Court has reviewed petitioners' submission titled, "Supplemental
21 Materials and Request for Discovery" (Dkt. No. 60). Statements in passive tense like "Ms.
22 Steele was recently denied use of the Elem PRC Program because she was deemed ineligible"
23 and "Ms. Steele was informed that she was not eligible for the Elem PRC Program" beg key
24 questions like *who* denied her use of the program and informed her that she was ineligible (*see*
25 *id.* at 5). Even the declaration itself suffers from the same defects, setting forth unhelpful
26 statements like "I was told that these expenses needed to be reimbursed directly by the Tribe"
27 and "I was denied access [to a tribal meeting]" (*see id.* at 99, 101).
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1 It is unfair to the judge to make these non-specific statements, with citations to similarly
2 non-specific declarations buried in a hundred-page-plus combined document, and expect the
3 judge to surmise factual details that should be plainly set forth in petitioners' request. The
4 Court is not convinced at this time that further discovery is warranted. Petitioners' request is
5 therefore **DENIED** without prejudice to their renewing it at a later time. If the request is
6 renewed, however, it should be written in active voice and should clearly set forth complete and
7 accurate citations to supporting evidence.

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9 **IT IS SO ORDERED.**

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11 Dated: May 16, 2017.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE